

REMARKS

Amendment and/or cancellation of claims herein are made without prejudice to the applicants' right to pursue claims of the same or similar scope in a duly filed continuing application.

The Rejection of Claims under 35 USC §112, First Paragraph

The examiner rejected all pending claims under 35 USC 112, first paragraph, asserting that the claimed subject matter lacked written descriptive support in the specification. In this rejection, the examiner essentially repeated the basis set forth in the previous office action, and in response to previously presented arguments by the applicant, the examiner suggested that the rejection could be overcome by amending claim 55 to more clearly recite that the protamine is modified. Inasmuch as protamines recited in the claim have a molecular weight of about 400 to about 2500 Daltons and are described in the specification to be fragments of naturally occurring protamines, the amendment to claim 55 to recite "protamine fragment" makes explicit what was implicit in the claim as previously presented and does not alter the scope of the claim. Accordingly, amendment to claim 55 herein is believed to overcome the rejection.

The Rejection of Claims under 35 USC §112, Second Paragraph

The examiner also rejected various claims under 35 USC §112, second paragraph, as discussed individually below.

Claim 55 was rejected for assertedly lacking antecedent basis for the term "said purified protamine" while the claims is amended to recite "purified protamine fragment." The examiner further asserted that claims 48 through 50 and 65 through 67 were included in the rejection for the same reasons. The applicants submit that the amendment to these claims obviates all of these rejections.

Claim 69 was rejected for assertedly being indefinite, however, cancellation of the claim renders any basis for the rejection moot.

CONCLUSION

In view of the amendments and remarks made herein, the applicants believe that all claims are now in condition for allowance and respectfully request notification of the same.

Dated: October 8, 2007

Respectfully submitted,

By 

Joseph A. Williams, Jr.

Registration No.: 38,659

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant